

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**MARVIN KEITH ANDERSON**

**PLAINTIFF**

**V.**

**NO. 4:17-CV-40-DMB-JMV**

**COMMISSIONER OF SOCIAL SECURITY**

**DEFENDANT**

**ORDER**

On July 31, 2017, United States Magistrate Judge Jane M. Virden issued a Report and Recommendation recommending “that defendant’s motion [to remand] be granted and that this case be remanded pursuant to sentence six.” Doc. #12. The Report and Recommendation warned:

Objections [to the Report and Recommendation] are required to be in writing and must be filed within fourteen (14) days of this date. Failure to timely file written objections to the proposed findings, conclusions and recommendations contained in this report will bar an aggrieved party, except upon grounds of plain error, from attacking on appeal unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Automobile Ass’n*, 79 F.3d 1415 (5th Cir. 1996).

*Id.* at 3.

To date, no objections to the Report and Recommendation have been filed. Accordingly, this Court’s review of the Report and Recommendation is limited to plain error. *Morales v. Mosley*, No. 3:13-cv-848, 2014 WL 5410326, at \*2 (S.D. Miss. Oct. 22, 2014) (citing *Shelby v. City of El Paso*, 577 F. App’x 327, 331 (5th Cir. 2014) (“When there has been no objection to a report and recommendation, review is limited to plain error.”)).

The Court has reviewed the Report and Recommendation and found no plain error. Therefore:

1. The Report and Recommendation [12] is **ADOPTED** as the order of the Court.

2. The defendant's motion to remand [10] is **GRANTED**; and
3. This case is **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence six of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

**SO ORDERED**, this 3rd day of October, 2017.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**